

STAND. COM. REP. NO.

1244

Honolulu, Hawaii

MAR 14 , 2025

RE: S.B. No. 1612
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Public Safety, to which was referred S.B. No. 1612, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO FITNESS TO PROCEED,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Department of Corrections and Rehabilitation to establish a five-year Fitness to Proceed Pilot Program to help reduce overcrowding at the Hawaii State Hospital and ensure the safety of the hospital's staff and personnel; and
- (2) Appropriate funds for this purpose.

Your Committee received testimony in support of this measure from the Hawaii Substance Abuse Coalition. Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Hawai'i Psychological Association. Your Committee received comments on this measure from the Department of Corrections and Rehabilitation; Department of Health; and Hawaii Disability Rights Center.

2025-2558 SB1612 HD1 HSCR HMSO-1



Your Committee finds that jail-based competency restoration programs potentially offer an effective alternative to traditional inpatient psychiatric hospitals. Your Committee further finds that this approach, which aligns with modern correctional system principles, is worth further consideration.

Your Committee has amended this measure by:

- (1) Limiting the Fitness to Proceed Pilot Program to the county of the State that has a population of more than two hundred thousand but less than five hundred thousand;
- (2) Modifying the nature of the collaborative partnership between the Department of Corrections and Rehabilitation and Department of Health;
- (3) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (4) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

Your Committee requests that the Department of Health provide information and statistics about the number of patients transferred to the Hawaii State Hospital who might otherwise qualify for the Pilot Program.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1612, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1612, S.D. 2, H.D. 1, and be referred to your Committee on Health.



Respectfully submitted on
behalf of the members of the
Committee on Public Safety,

Debra A. Belatti

DELLA AU BELATTI, Chair



